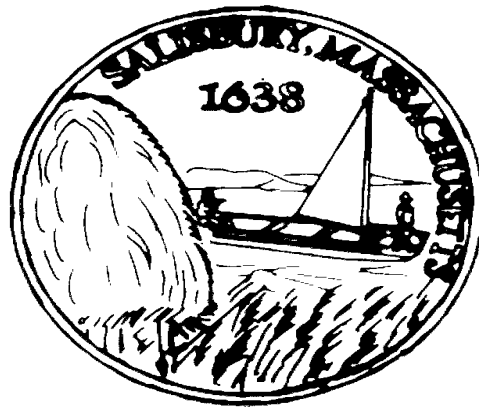


Planning Board Rules and Regulations

Town of Salisbury, Massachusetts



**Adopted by the Planning Board
January 11, 2006**

Salisbury Planning Board

Jack Christian, Chairman

**Lisa Pearson, Town Planner
Leah Hill, Assistant Planner**

December 19, 2005

Table of Contents

| | |
|--|-----------|
| Introduction | 1 |
| <hr/> | |
| I. Organization | 2 |
| <hr/> | |
| II. Planning Board Fees | 4 |
| A. Application Fees | 4 |
| B. Project Review Fees | 6 |
| <hr/> | |
| III. Site Plan Review | 8 |
| A. Review Procedure | 8 |
| B. Site Plan Requirements | 8 |
| 1. Materials for Review | 8 |
| 2. Plan Content | 8 |
| 3. Major Project Narrative Submittals | 9 |
| C. Site Plan Performance and Design Standards | 11 |
| <hr/> | |
| IV. Flexible Residential Development Plan | 18 |
| A. Pre-Application | 18 |
| B. Sketch Plan | 19 |
| C. Conventional Subdivision Yield Plan | 20 |
| D. General Design Standards | 21 |
| E. Site Specific Design Standards | 22 |
| <hr/> | |
| Appendix A: Subdivision Control Regulations | 2 |

Introduction

The Planning Board's Rules and Regulations are divided into four sections: the first section covers the organization of Planning Board meetings; the second covers fees for Planning Board submittals. The third and fourth sections provide design guidelines for residential and commercial/industrial areas in the Town of Salisbury, Massachusetts which are subject to Site Plan Review, Special Permits, the Subdivision Control Law, or a combination of any of these. The Planning Board's Subdivision Control Regulations, adopted June 1, 1975, are included as "Appendix A". We hope your use of these guidelines will facilitate your planning and our review of your project and lead to an improved design for you and the community.

This document was created by the Planning Department and the Planning Board.
These rules and regulations are intended to:

- ❖ To maintain the integrity of Salisbury's physical environment
- ❖ To improve the quality of residential and commercial design in Salisbury
- ❖ To streamline the permitting process for those seeking to invest in Salisbury.

Lisa Pearson, Town Planner
Leah Hill, Assistant Town Planner
Katrina O'Leary, Former Assistant Town Planner

Members of the Planning Board:
Jack Christian, Chairman
Robert Straubel, Vice Chairman
Larry Cuddire
Don Egan
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I. Organization

Duties

The duties and responsibilities of the Planning Board are to make careful studies of the resources, possibilities and needs of the town, particularly with respect to conditions injurious to the public health or otherwise in and about rented dwellings, and make plans for the development of the municipality, with special reference to proper housing of its inhabitants (Mass General Law Ch. 41, Section 70). The Planning Board is also responsible for executing and administering the Master Plan (Mass General Law Ch. 41, Section 81D).

Members and Officers

The Planning Board shall consist of five members and one associate (alternate) member, appointed by the Board of Selectmen. “The associate member’s term shall run for a period of two years” (Salisbury Zoning By-Laws, Section XI, Spring 2005). The members shall annually elect a chairman, vice-chairman and clerk at the start of each fiscal year.

Meetings

Meetings are held the second and fourth Wednesday of each month. Workshops and other meetings can be held in addition to the scheduled planning board meetings. Meeting and workshop agendas are filed with the Town Clerk and posted in Town Hall and on the town’s website 48 hours prior to meetings, not counting Sundays or holidays. A quorum is necessary for decisions to be made.

Minutes

Minutes are to be taken by the planning board secretary as well as the planning board clerk. The minutes are public record and can be viewed in the planning department, town clerk’s office and the town library. Minutes are sent to the planning board members to be read and then voted on at the following meeting.

Conduct

Robert’s Rules of Order are the established rules of conduct for Planning Board meetings.

Attendance

The Town of Salisbury Charter, as amended through May 2000, Section 7-11 states:
If any person appointed to serve as a member of a multiple member body shall fail to attend four or more consecutive meetings, or one-half or more of all of the meetings of such body held in one calendar year, the remaining members of the multiple member body may, by a majority vote of the remaining members of such body, declare the office to be vacant, provided, however, that not less than ten days prior to the date said vote is scheduled to be taken the body has given in hand, or mailed by registered or certified mail, return receipt requested, notice of such proposed or pending vote to the last known address of such person.

Voting

Members must attend all portions of public hearings to be eligible to vote. “The chairman of the Planning Board may designate the associate member to sit for the purposes of acting on any application before the Board in the case of absence, inability to act, conflict of interest on the part of any regular member of the Board, and/or in the event of a vacancy” (Salisbury Zoning By-Laws, Section XI, Spring 2005).

Regarding conflict of interest, all board members should disqualify themselves if they or a relative could gain by the board’s decision. The wise course of action upon disqualification is to leave the room (Mass. General Law, Chapter 268A).

II. Planning Board Fees

A. Application Fees

The fees detailed below are payable at the time of an application's submission to the planning department. An application will not be stamped as received by the Town Clerk without evidence that the fee has been paid.

Schedule of Application Fees

| Type of Application | Fee |
|---|---------------------------------------|
| Approval Not Required (ANR) Plan | \$100 plus \$100 per lot |
| Preliminary Subdivision Plan | \$100 flat fee |
| Definitive Subdivision Plan submitted within 7 months of a preliminary plan | \$1,000 plus \$200 per lot |
| Definitive Subdivision Plan | \$1,000 plus \$400 per lot |
| Modification of an Approved Definitive Subdivision Plan | \$500 plus \$100 per lot |
| Planning Board Special Permit | \$100 Residential \$200 Commercial |
| Site Plan Review | \$100 Major \$50 Minor |

Notes:

1. The above schedule of application fees supersedes all previous schedules as they may have appeared in the Salisbury Zoning By-laws, the Rules and Regulations for the Subdivision of Land, and any listings that may have been compiled from time to time for the benefit of applicants.
2. All fees for Planning Board applications are subject to approval from the Board of Selectmen.
3. Revised Applications: Where an Application Fee has been calculated by the number of lots, units or square footage of the total site, and the application is revised after payment of said fee, the following rules shall apply:
 - A. If the number of proposed lots, units or square footage of the site increases, the applicant shall pay a fee equivalent to the difference between the fee originally paid and the fee that would have been paid had the original submission included these additional lots, units or square footage of the site. No review of these additional lots, units or square footage of the site shall take place until this additional fee is paid to the Town of Salisbury. Failure to make this payment after requesting additional lots, units or square footage shall be grounds for denial of the application.

- i. *Example: An application is received for a site plan review. The project consists of the construction of a 600 square foot shed for commercial purposes. As a minor project, a \$50 application fee is applicable. The application is changed to include a 3000 square foot garage in place of the shed. Since this now meets the criteria for a major project, a \$100 application fee is applicable. Since the applicant already paid \$50 for the minor project, they owe the difference of \$50.*

- B. If the number of proposed lots, units or square footage of the site decreases, a refund of that portion of the application fee predicated on those lots, units or square footage of the site shall be granted if, the Planning Board finds that, no cost associated with the review of those lots or units has been incurred.

Waivers: The Planning Board may waive or reduce an Application Fee, if, in the opinion of the Board, unusual circumstances exist regarding the application.

Refund: Once the review process has commenced, the Planning Board shall not refund an Application Fee, including the withdrawal of the application by the applicant.

B. Project Review Fees

Applicability: In addition to an Application Fee, in accordance with Massachusetts General Law Chapter 44, Section 53G, the Planning Board shall impose a Project Review Fee on those applications which require, in the judgment of the Planning Board, review by outside consultants due to the size, scale or complexity of a proposed project, the project's potential impacts, or because the Town lacks the necessary expertise to perform the review work related to the permit or approval. In hiring outside consultants, the Board may engage engineers, planners, lawyers, designers, or other appropriate professionals able to assist the Board and to ensure compliance with all relevant laws, ordinances, by-laws and regulations. Such assistance may include, but shall not be limited to, analyzing an application, monitoring or inspecting a project or site for compliance with the Board's decisions or regulations, and inspecting a project during construction or implementation.

Schedule of Project Review Fees: The following schedule of fees applies to the types of applications to the Planning Board set forth below.

Schedule of Project Review Fees

| Type of Plan | Size | Fee |
|--|--|-----------|
| Preliminary Subdivision Modification of a Preliminary Subdivision Modification of an Approved Definitive Subdivision Modification of a Special Permit | 2-15 Lots or Units | \$ 2,000 |
| | 16-20 Lots or Units | \$ 3,000 |
| | 21-25 Lots or Units | \$ 4,250 |
| | 26 or more Lots or Units | \$ 5,000 |
| | 1-10 parking paces where no units or lots are created | \$ 1,000 |
| | 11 or more parking spaces where no units or lots are created | \$ 1,500 |
| Definitive Subdivision Plan Special Permit Site Plan | 2-15 Lots or Units | \$ 4,000 |
| | 16-20 Lots or Units | \$ 6,000 |
| | 21-25 Lots or Units | \$ 10,000 |
| | 26 or more Lots or Units | \$ 20,000 |
| | 1-10 parking paces where no units or lots are created | \$ 2,500 |
| | 11 or more parking spaces where no units or lots are created | \$ 5,000 |

Notes:

1. This schedule supersedes all previous schedules as they may have appeared in the Salisbury Zoning By-laws, Salisbury Subdivision Control Regulation, and any listings that may have been compiled from time to time for the benefit of applicants.

2. Where more than one type of application has been submitted for Planning Board action, only the largest of the applicable Project Review Fees shall be required, and not the sum of those fees.
3. The project review fee is due prior to the application being date stamped in by the Town Clerk.
4. **Replenishment:** When the balance in an applicant's account falls below twenty-five percent (25%) of the initial Project Review Fee, as imposed above, the Planning Board shall consider whether to require a supplemental Project Review Fee to cover the cost of the remaining project review.
5. **Inspection Phase:** After the granting of a Special Permit, Site Plan approval or Definitive Subdivision Plan approval, the Planning Board may require a Supplemental Project Review Fee for the purpose of ensuring the availability of funds during the inspection phase of the review process.
6. **Refund:** Any unused balance of the project review fees will be returned to the applicant after the planning board grants a certificate of occupancy and/or the work is completed.

Illustration of Project Review Fees:

- A. A 12 unit condo development with 24 parking spaces would be a major project. The application fee would be \$100 for a major project and the review fee would be \$4,000 (based on the # of units, not the parking spaces).
- B. The building of a parking lot with 11 parking spaces going through S.P.R. would be a major project for \$100 application fee and the review fee would be \$5,000.
- C. A definitive plan coming before the board for a subdivision of a lot in to 16 new lots would be subject to a \$1,000 plus \$400 per lot (\$6,400) application fee and a \$6,000 review fee, assuming no preliminary plan was submitted within the prior 7 months.

II. Site Plan Review Requirements

The Planning Board is the Site Plan Review Authority for Section XXI of the Town of Salisbury Zoning By-laws. This By-law allows the Planning Board to adopt rules and regulations to implement the provisions of the By-law, including but not limited to specifying the content and number of required plans, application procedures, filing and review fees, design criteria, development standards, and other general requirements consistent with the By-law. In any case where the Rules and Regulations found below contradict the actual Zoning By-law, the Zoning By-law shall supersede.

A. Review Procedures

The procedures for submitting a Site Plan Review application are outlined in Section XXI of the Town of Salisbury Zoning By-laws. The following is a summary of that procedure:

1. *All applicants are encouraged to review the application with the Planning Department prior to filing.*
2. *Public Hearings for Major Projects, which has been noticed according to M.G.L Chapter 40A, Section 11, will be held within thirty (30) days of the date the complete application was stamped in by the Town Clerk. Minor Projects will be reviewed by the Planning Board under General Business.*
3. *Planning Board will make a final decision within 60 days of the commencement of the Public Hearing, or if no Public Hearing is required, within 60 days from the date of submission.*
4. *The Planning Board must issue a Certificate of Completion before occupancy permits are issued. Planning Board will check any filing for completeness before filing with the Town Clerk.*

Entire text of Site Plan Procedure may be found in Section XXI of the Salisbury Zoning By-laws.

B. Site Plan Requirements

1. **Materials for review:** A registered architect, landscape architect, or professional engineer shall sign and date and place their seal upon all pertinent documents and plans. All original site plans shall be prepared on standard 24" x 36" plan sheets at a minimum scale of 1" = 40'. Elevations, drawings, where required, shall be drawn at a minimum scale of 1" = 8'.
2. **Plan Content:** The following information shall be included on the site plan for a major or minor project. Any of the following information submitted to another Town board or commission in connection with the proposed project, may be submitted to the board in lieu of the following:
 - a. **Location and boundaries:** The location and boundaries of the lot, zoning district, adjacent streets or ways, applicable information from Section VI, Dimensional Regulations, the location and owners' names of all adjacent

properties. Plans shall also show any deeds of easement, right-of-ways, covenants and any other agreements affecting the use of the site.

- b. **Structures:** Existing and proposed structures, including dimensions, footprint, total gross floor area, number of stories, floor elevations, and building height(s). See section II, Definitions.
 - c. **Signage:** The location, dimensions, height, lighting, and other characteristics of all proposed signs.
 - d. **Landscaping:** Proposed landscape features including the locations and a description of buffer areas, screening, fencing, and a planting plan. The planning board may require a registered landscape architect shall prepare a planting plan, unless the Planning Board deems a licensed plant nursery person or landscape designer appropriate for small projects such as minor additions or alterations.
 - e. **Traffic:** The plan shall show pedestrian, bicycle, and vehicular traffic flow patterns and show adequate access to and from the site and adequate circulation within the site. The Planning Board encourages accommodation of public transportation and/or private vanpooling arrangements.
 - f. **Parking:** The location of parking and loading areas, driveways, access and egress points, bicycle racks, and bus stops or drop-off areas.
 - g. **Public access:** The location and description of proposed public access areas, including parks, conservation areas, gardens, bikeways, pathways or sidewalk areas. Riverfront sites shall include indications of compliance with state and federal regulations.
 - h. **Lighting:** Existing and proposed exterior lighting, including locations, lighting source, and fixture types. A photometric analysis of proposed lighting will be required.
 - i. **Topography:** Existing and proposed topography of the site including contours (two foot intervals), the location of wetlands streams, water bodies, aquifers, aquifer recharge areas, drainage swales, areas subject to flooding, and unique natural land features, including all stonewalls, trees over eight (8) inches in caliper, and the general location of the tree line.
 - j. **Water and waste disposal, drainage and other utilities:** The locations and description of all existing and proposed septic systems, sanitary sewer water supply, storm drainage systems (including method and calculations for 10- and 100-year storm events), utilities, refuse and other waste disposal methods.
3. **Major Project Narrative Submittals:** For major projects, the Planning Board may require the materials or information listed below, as it deems necessary. If not requested at the time of the public hearing, this information shall be requested not more than 30 days from the date of commencement of the public hearing and will not extend the review period, unless mutually agreed upon in writing.

- a. **Surface and ground water pollution:** A report on the impact of storm water runoff on adjacent and downstream water bodies, subsurface ground water, and water tables.
- b. **Soils:** A report on the potential erosion and sedimentation caused by the operation and maintenance of the proposed development and the mitigation efforts proposed. To this end, high intensity soil mapping, i.e., test borings and analysis, may be required.
- c. **Environmental and community impact analysis:** For projects with significant environmental impact to wetlands, floodplains, or other sensitive resources the board may request a report following the submission requirements of the Planning Board's Rules and Regulations, including a report on the relationship of the proposed development to the natural and man-made environment, and compatibility of the proposed development with adjacent or surrounding land uses and neighborhoods. This analysis shall be a guide to the Planning Board in its deliberations and will build into the board's decision-making process consideration of the environment and community impacts of the proposed development. An EIR required through the MEPA process, which addresses the Planning Board's concerns, may be substituted in lieu of this report.
- d. **Traffic impacts:** A report on existing pedestrian and vehicular traffic volume, composition, peak hour levels, and existing street and sidewalk capabilities, analysis of existing and resulting level of services (LOS) for the following:
 - 1) The nearest and/or most impacted public roadway intersection.
 - 2) The estimated average daily traffic generation, including composition and peak hour levels.
 - 3) The directional flows resulting from the proposed development.
 - 4) Any proposed methods to mitigate the estimated traffic impact such as promoting the use of public transportation, or other appropriate means.
 - 5) The methodology and sources used to derive existing data and estimations.
 - 6) The feasibility of traffic calming measures such as textured crosswalks, bike lanes, roundabouts, rumble strips, street trees, or bulb-outs.
 - 7) A detailed traffic access and impact study may also be required for the project. At the applicant's expense, the Planning Board may engage a traffic consultant to review said report and make its recommendations to the Planning Board thirty (30) days before final action is required.
- e. **Architectural style:** Plans and other drawings shall include architectural elevations of all sides of all new buildings and of those sides of existing buildings that are proposed to be altered in any way. A registered architect who shall sign the plan and place his/her seal upon it shall prepare the renderings or elevations.

The drawings shall be prepared at a minimum scale of 1/8" = 1' and shall show the following:

- 1) Exterior material, including trim, and colors.
- 2) Type, pitch, and material of roofs.
- 3) Size, type, and spacing of windows, doors and other openings.
- 4) Size, location, colors, and copy of signs affixed to or hanging from the building.
- 5) The relationship in massing, scale, and height to other existing structures in the immediate vicinity.
- 6) Elevations or renderings of new construction, renovation or expansions (or model may be provided at the option of the applicant).
- 7) Cross-sections of the site and buildings.
- 8) Product literature on proposed light fixtures.

f. Other permits required:

- 1) All completed or pending actions of the Zoning Board of Appeals relative to the application, including an estimated schedule of application and approval.
- 2) A listing of state and federal permits, licenses, and approvals necessary, including Chapter 91.

C. Site Plan Performance and Design Standards

Site Plans shall be prepared in compliance with the following list of design standards, the Salisbury Zoning By-laws and the Salisbury Planning Board Rules and Regulations, as well as all applicable site plan standards of the Architectural Access Board, American Disabilities Act, AASHTO and any other local, state, and federal standards not specifically enumerated herein. In the event there is a conflict in standards, the jurisdictional standard shall apply, unless otherwise waived.

- 1. Architectural/Building Design:** Consideration shall be given to ensure that buildings are appropriate in scale, massing, height, roofline, and building materials to ensure that the architecture shall be in harmony with the surrounding neighborhood and the Town
- 2. Landscaping:** Landscaping and screening shall be provided with regard to the impact of the adjacent properties, the public highway and to the site itself. Plant materials that are selected for the site should be non-invasive and indigenous to the area or be able to survive New England winters
- 3. Lighting:** The goals of exterior lighting shall be to make development safe and to identify and accent key elements in the project's design. Fixtures shall be of the cutoff luminaire type and be consistent with the overall architectural theme of the development. Access ways, parking areas, and pedestrian walkways shall have adequate lighting for security and safety reasons. Flood and area lighting is prohibited.

- 4. Pedestrian and vehicular access and traffic impacts:** Applicants must demonstrate that the project will minimize pedestrian and vehicular traffic and safety impacts on town roads. In the case of multi-tenant properties, these requirements are directed at the immediate vicinity of the proposed renovation, addition, expansion, or new building rather than the site as a whole.
- 5. Drainage:** The drainage system shall be designed so that there is no net increase in the pre v. post peak rates of storm water discharge for the two (2), ten (10) and one hundred (100) year storm events and rates. The applicant shall demonstrate to the satisfaction of the Planning Board that the project is designed to have no measurable or significant impact as to existing vegetation, topography, wetlands, and other natural or manmade features. The system shall be designed to treat storm water to all applicable standards of town, state and federal agencies. The system design shall promote on-site infiltration and minimize the discharge of pollutants to the ground and surface water. Drainage systems shall have an emergency overflow for events above and beyond the one hundred (100) year storm event. Additionally, the drainage system will be designed in accordance with Stormwater Management Volume I and II prepared by: MA Department of Environmental Protection and MA Office of Coastal Zone Management as most recently revised. In special cases, the site drainage can utilize the Town's drainage system with the approval of the Department of Public Works. The Planning Board requires that proper calculations be submitted. A minimum of one (1) foot of freeboard shall be provided for all detention/retention structures.
- 6. Parking and Loading:**
- a. Parking lots and access drives shall be designed to prevent motorists from stacking onto the public way. Parking lanes shall be sized according to the internal circulation pattern. Parking shall be prohibited between buildings and street layout, except for handicap access if required by the ADA. Parking for large trucks shall be provided as determined by the Planning Board.
 - b. All parking lots, drives and loading areas shall be paved, unless otherwise prohibited by state or local regulations.
 - c. The installation of alternative surfaces in low traffic areas may be allowed, provided that a determination is made that the alternative surface will not lead to dust or erosion, having an adverse impact on adjacent properties or users of the site.
 - d. Parking should be located to the side or rear of the building. Parking under buildings in areas shall only be permitted to the extent that provision has been made for the front elevation to be no higher than the minimum, required by state and local regulations. The buildings shall include neighborhood friendly elements, such as decks and porches at sidewalk level, fronting the highest use pedestrian or public way.
 - e. Curb cuts for parking access shall not exceed 24 feet or 25% of the property's frontage on a public way, whichever is greater.
 - f. Screening of ground floor parking from pedestrian view with appropriate doors, building elements or landscaping features, is required for parking along

public ways. Parking lots shall be designed to include median strips and landscape islands to improve internal circulation. Additionally, landscaped or naturally vegetated islands should interrupt rows of parking. Loading shall be designed to be convenient to the loading and unloading of vehicles and to avoid conflicts with the internal circulation pattern. Curbing shall be vertical granite at the access drive radii. Each site shall have only one curb cut per street frontage, except where it is deemed that more than one curb cut is necessary for emergency access purposes or to enhance the site.

7. Service Facilities: Service facilities such as garbage collection, recycling containers, refrigeration units, utility areas and other facilities not specifically identified shall be screened around their perimeters. Screening may consist of fencing and/or natural vegetation. Screening shall have an effective height and width to screen from public view said service facility.

8. Construction: Construction requirements for roads, parking, streets, and drainage shall be in accordance with the Massachusetts Highway Standards, as published by the State of Massachusetts. Upon request, the Planning Board may allow alternative construction specifications if deemed appropriate for the proposed use by the Board, or if mandated by the Conservation Commission; subject to the issuance of a variance from the Board of Appeals, if needed.

- a. All access drives and parking areas shall be graded, paved, and drained in accordance with standards enumerated in this section, unless the Planning Board allows an alternative to pavement as described above.
- b. Curbing shall be placed at the edges of all paved surfaces, and also at the edges of graveled parking areas and access drives. Wheel stops shall be placed where parking spaces abut sidewalks and/or walkways for pedestrians. Guardrails shall be placed along parking spaces and drive aisles where slopes exceed 3:1. Curbing shall not be bituminous concrete.
- c. All utility connections shall be underground and constructed in accordance with the requirements of the town and other utility companies.
- d. Bollards shall be placed along the sides of the building exposed to vehicle traffic.

9. Access Connections

- a. Separation between access connections on all collector and arterials shall be based on the posted speed limit in accordance with the following table:

| <i>Posted Speed Limit (MPH)</i> | <i>Access Connection Spacing (Feet)</i> |
|-------------------------------------|---|
| 20 | 140 |
| 30 | 210 |
| 40 | 280 |
| 50 | 350 |

- b. The width of the access connections at the property line of the development shall not exceed 25 feet, unless the traffic impact study identifies, and the Planning Board agrees to, the need for turning lanes from the development onto the adjacent public road.
- c. The access connection shall provide a minimum distance of 40 feet in depth between the property line and the beginning of any parking areas, turning areas and/or stacking lanes within the development.
- d. For a site at an intersection where no alternatives exist, such as joint or cross access, the Planning Board may allow construction of an access connection at a location suitably removed from the intersection. In such cases, the applicant shall provide directional restrictions (i.e. right in/right out only and/or a restrictive median) as required by the Planning Board.

10. Shared Driveways: A system of joint use driveways and cross access easements shall be established wherever feasible and the proposed development shall incorporate the following:

- a. A service driveway or cross access corridor extending the width of the parcel.
- b. A design speed of ten mph and sufficient width to accommodate two-way travel aisles.
- c. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive. (A leveling area shall be provided having a grade of minus one percent for a distance of 30 feet, measured from the nearest exterior line of the intersecting street, to the point of vertical curvature.)

11. Drive-Through Facilities

- a. Drive-through facilities shall provide a minimum of eight (8) stacking spaces (within the site) before the order board. The facility shall provide another four (4) stacking spaces between the order board and the transaction window. If the facility has two transaction windows the four (4) stacking spaces may be split between each of the windows. An additional stacking space shall be provided after the last transaction window(s).
- b. Each stacking space shall be a minimum of twenty (20) feet in length and ten (10) feet in width along straight portions. Stacking spaces and stacking lanes shall be a minimum of twelve (12) feet in width along curved segments.
- c. Stacking lanes shall be delineated from traffic aisles, other stacking lanes and parking areas with striping, curbing, landscaping and the use of alternative paving materials or raised medians.
- d. Entrances to stacking lane(s) shall be clearly marked and a minimum of sixty (60) feet from the intersection with the public street. The distance shall be measured from the property line along the street to the beginning of the entrance.
- e. Stacking lanes shall be designed to prevent circulation congestion, both on site and on adjacent public streets. The circulation shall: (a) separate drive-through traffic from site circulation, (b) not impede or impair access into or out of

parking spaces, (c) not impede or impair vehicle or pedestrian traffic movement, and (d) minimize conflicts between pedestrian and vehicular traffic with physical and visual separation between the two. Stacking lanes shall not interfere with required loading and trash storage areas and loading or trash operations shall not impede or impair vehicle movement. If said separate stacking lane is curbed, an emergency by-pass or exit shall be provided.

- f. Stacking lanes shall not enter or exit directly into a public right-of-way. Stacking lanes shall be integrated with the on-site circulation pattern.
- g. The intersection of stacking lanes and walk-in customer access shall be a minimum of fifty (50) feet from any access connections and/or transaction windows. Said intersections shall be provided with a crosswalk. These crosswalks shall use enriched paving and striping and include warning signage aimed at both the pedestrian and vehicle.
- h. Any outdoor service facilities (including menu boards, speakers, etc.) shall be a minimum of one hundred (100) feet from the property line of residential uses.
- i. Menu boards shall be a maximum of thirty (30) square feet with a maximum height of six (6) feet in height and shall be shielded from any public street and residential properties.

12. Utilities

- a. Except for preexisting overhead connections, all electric, telephone, cable TV and other such utilities shall be underground from the roadway utilities.
- b. In order to minimize design and permitting conflicts, the applicant must demonstrate that the proposed development will be permitted to connect to the public sewer, water, and other service systems. If sewerage is not currently installed, dry sewer will be required for all development located east of Interstate-95. If sewerage is to be treated on site, the application shall include, if completed, a copy of the plan submitted in accordance with the regulations of the Board of Health.

13. Storm water runoff: The site plan shall include adequate provisions for measures to prevent pollution of surface or groundwater, minimizing erosion and sedimentation, and measures to prevent changes in groundwater levels, increased run-off, and potential for flooding. Neighboring properties shall not be adversely affected by excessive run-off. The plan shall include:

- a. A plan consistent with the Massachusetts Stormwater Management Policy (SWMP), where the rate of surface water run-off from the site shall not be increased after construction. If needed to meet this requirement and maximize groundwater recharge, increased run-off from impervious surfaces shall be recharged on site by being diverted to vegetated surfaces for infiltration or through the use of subsurface infiltration systems, retention or detention ponds. Dry wells shall be used only where other methods are unfeasible and shall require oil, grease, and sediment traps to facilitate removal of contaminants
- b. A detailed stormwater management plan will also be required.

14. Water quality: Groundwater recharge shall be maximized and groundwater quality shall be protected. Various techniques may be required to maximize recharge, such as perforated drainpipes, reduction of paved areas, and reduction of building coverage. Installing grease traps, and/or gas/oil separators to improve water quality may also be required. Where the groundwater elevation is close to the surface extra site grading precautions may be taken to maintain the protective function of the overburden.

15. Wetlands: In order to minimize design and permitting conflicts, when wetland replacement or mitigation is required, the application shall include, a copy of the plan submitted in accordance with the regulations of the Salisbury Conservation Commission.

16. Erosion Control: Erosion and sedimentation control measures presented in the plan shall be adequate to retain all sediment within the site and away from wetlands, watercourses, and water bodies, both during and after construction.

17. Environmental Impact Assessment

Purpose: To describe the impacts of the proposed development with respect to on-site and off-site environmental quality.
To enable Town officials to determine and evaluate those methods to be used by the applicant to promote the environmental health of the community and to minimize the environmental degradation of the Town's natural resources

Scope: A written description of existing, general physical conditions of the site and a description of proposed measures for mitigation of any potential adverse impacts on the natural environment.

Standards:

- Emissions
- Soil runoff
- Earth removal
- Tree removal
- Noise Pollution
- Light Pollution

The Planning Board may waive in part or in whole any requirements contained in the Assessment, which it deems inapplicable to the project proposal. The applicant may wish to discuss the requirements with the Planning Board for preparation of the Statement prior to submission of a plan. The Planning Board can waive the EIS for projects that require a Massachusetts Environmental Policy Act (MEPA) review; however, the Planning Board may require specific information in the EIS that the Board deems was not adequately addressed in the MEPA review.

18. Community Impact Assessment

Purpose: To evaluate the impact of the proposed project on Town services and surrounding neighborhood and the fiscal and economic impacts of the proposed development on the Town

- Scope:** A written description of:
- Site design and neighborhood impact
 - Pedestrian impact
 - Historic impact
 - Infrastructure impact
 - Proposed methods of mitigation for any adverse impacts
 - Projections of costs arising from increased demands for public services and infrastructure
 - Projections of benefits from increased tax revenues, employment (construction and permanent), and value of public infrastructure to be provided
 - Projections of the impacts of the proposed development on the values of adjoining properties
 - Five-year projection of Town revenues and costs resulting from the proposed development
- Standards:** Design elements shall be compatible with the character and scale of neighboring properties and structures, existing local plans (if any):
- Location and configuration of proposed structures, parking areas and open space
 - Outdoor lighting

19. Traffic Impact Assessment

- Purpose:** To evaluate the impact of the proposed project on traffic patterns in the surrounding neighborhood.
- Scope:** Document the methodology and sources used to provide existing data and estimations:
- Existing traffic conditions
 - Projected traffic conditions
 - Projected traffic impact generated by the development
 - Proposed mitigation

IV. Flexible Residential Design Requirements

The Planning Board is the Special Permit Granting Authority for the Flexible Residential Development Special Permit (FRD) found in Section XC of the Town of Salisbury Zoning By-laws. The FRD By-law allows the Planning Board to adopt rules and regulations to implement the provisions of the By-law, including but not limited to specifying the content and number of required plans, application procedures, filing and review fees, design criteria, development standards, and other general requirements consistent with the By-law. In any case where the Rules and Regulations found below conflict with the actual Zoning, the Zoning By-law governs.

Submission of Plans and Documents for Flexible Residential Design (FRD)

- A. Pre-Application:** For Flexible Residential Development (FRD) under Section XC of the Zoning By-law, applicants are strongly encouraged to submit the following information to facilitate review and discussion of the FRD at the pre-application stage:
- 1. Site Context Map:** This map illustrates the parcel in connection to its surrounding neighborhood. Based upon existing data sources and field inspections, it should show various kinds of major natural resource areas or features that cross parcel lines or that are located on adjoining lands. This map enables the Planning Board to understand the site in relation to what is occurring on adjacent properties.
 - 2. Existing Conditions/Site Analysis Map:** This map familiarizes officials with existing conditions on the property. Based upon existing data sources and field inspections, this base map locates and describes noteworthy resources that should be left protected through sensitive subdivision layouts. These resources include wetlands, riverfront areas, floodplains and steep slopes, but may also include mature un-degraded woodlands, hedgerows, farmland, unique or special wildlife habitats, historic or cultural features (such as old structures or stone walls), unusual geologic formations and scenic views into and out from the property. By overlaying this plan onto a development plan the parties involved can clearly see where conservation priorities and desired development overlap or conflict.
 - 3. Site Visit:** Applicants are encouraged to request a site visit by the Planning Board and/or its agents in order to facilitate pre-application review of the FRD. If one is requested, the Planning Board shall invite the Conservation Commission and the Board of Health.
 - 4. Pre-application Conference:** If one is requested, the Planning Board shall invite a representative of the Conservation Commission, Board of Health, Department of Public Works and any Open Space Committee. The purpose of a pre-application review is to attempt to streamline the formal application process, to minimize the applicant's costs of engineering and other technical experts, and to commence discussions with the Planning Board at the earliest possible stage in the development. At the pre-application review, the applicant may outline the proposed FRD and the yield based on a conventional subdivision buildout, seek preliminary feedback from the Planning Board and/or its technical experts, and set a timetable for submittal of a formal application.

5. **Design Standards:** The design process and standards set forth below in Section 5 should be discussed by the parties at the pre-application conference and site visit.

B. Sketch Plan

The Sketch Plan, submitted as part of the FRD Special Permit Plan under Section 6 of the FRD By-law, shall follow the quality standards and include the components listed below:

1. The Sketch Plan shall be prepared by a certified landscape architect or Qualified Design Team, and shall identify the Primary Conservation Areas, Secondary Conservation Areas, general features of the land, approximate configurations of the lots, open space, and roadways, and shall also include the information listed in the Subdivision Rules and Regulations to the extent applicable. The proposed development as identified on the Sketch Plan shall reflect and incorporate the Four-Step Design Process set forth in Section XC.5 of the Town of Salisbury's Zoning By-Law, and the design standards set forth in Subsections D & E below.
2. The **Sketch Plan** shall include the following:
 - a. The subdivision name, boundaries, north point, date, legend, title "Sketch Plan," and scale.
 - b. The names of the record owner and the applicant, and the name of the Landscape Architect and/or Qualified Design Team that prepared the plan.
 - c. The names, approximate location, and widths of adjacent streets.
 - d. The proposed topography of the land shown at a contour interval no greater than 5 feet. Elevations shall be referred to mean sea level.
 - e. The location of existing landscape features including forests, farm fields, meadows, wetlands, riverfront areas, water bodies, archeological and historic structures/remains or points of interest, rock outcrops, boulder fields, stone walls, cliffs, high points, major long views, forest glades, major tree groupings, noteworthy tree specimens, and habitats of endangered or threatened wildlife, as identified as primary and secondary resources according to Section X.C.5.1 the FRD in the Salisbury Zoning By-law. Proposals for all site features to be preserved, demolished, or moved shall be noted on the Sketch Plan.
 - f. All on-site local, state, and federal regulatory resource boundaries and buffer zones shall be clearly identified and all wetland flag locations shall be numbered and placed upon the Sketch Plan.
 - g. Lines showing proposed private residential lots, as located during Step-Four, Section XC.5.4 of the Salisbury Zoning By-law, with approximate areas and frontage dimensions.
 - h. All existing and proposed features and amenities including trails, recreation areas, pedestrian and bicycle paths, community buildings, off-street parking areas, shall be shown on the plan and described in a brief narrative explanation where appropriate.

- i. The existing and proposed lines of streets, ways, common driveways, easements and any parcel of land intended to be dedicated for public use or to be reserved by deed covenant for use of all property owners in the subdivision, or parcels of land or lots to be used for any purpose other than private residential shall be so designated within the subdivision in a general manner.
- j. Proposed roadway grades.
- k. Official soil percolation tests for the purpose of locating wastewater treatment options are not required for the Special Permit Plan. However, a narrative explanation shall be prepared by a certified Professional Engineer detailing the proposed wastewater systems that will be utilized by the development and its likely impacts on-site and to any abutting parcels of land. For example, the narrative will specify whether individual on-site or off-site systems, shared systems, alternative to Title V systems, or any combination of these or other methods will be utilized.
- l. A narrative explanation prepared by a certified Professional Engineer proposing systems for stormwater drainage and its likely impacts on-site and to any abutting parcels of land. For example, the narrative will specify whether soft or hard engineering methods will be used and the number of any detention/retention basins or infiltrating catch basins; it is not intended to include specific pipe sizes. Any information needed to justify this proposal should be included in the narrative. The approximate location of any stormwater management detention/retention basins shall be shown on the plan and accompanied by a conceptual landscaping plan.
- m. A narrative explanation prepared by a certified Professional Engineer, detailing the proposed drinking water supply system.
- n. A narrative explanation of the proposed quality, quantity, use and ownership of the open space. Open space parcels shall be clearly shown on the plan.
- o. All proposed landscaped and buffer areas shall be noted on the plan and generally explained in a narrative.
- p. A list of all legal documents necessary for implementation of the proposed development, including any Individual Deed Restrictions, Conservation Restrictions, land transfers, and Master Deeds, with an accompanying narrative explaining their general purpose.
- q. A narrative indicating all requested waivers, reductions, and/or modifications as permitted under the FRD of the Salisbury Zoning By-law.

C. Conventional Subdivision Yield Plan

- 1. The Conventional Subdivision Yield Plan (Yield Plan) shall depict the basic number of lots/dwelling units as described in Section XC.7 of the Salisbury Zoning By-law (Basic Maximum Number of lots/units/bedrooms). The applicant shall submit a narrative explanation detailing the results of the determination of any proposed allocation of yield.

2. The Yield Plan shall include the following:

- a. The subdivision name, boundaries, north point, date, legend, title “Yield Plan,” and scale. The names of the record owner and the applicant, and the name of the Engineer, Surveyor, and/or Qualified Design Team that prepared the plan.
- b. Names of all abutters as they appear in the most recent Assessor's records, including owners of land separated from the subdivision by a street.
- c. Assessor's Map and Parcel Numbers for all land shown on the plan.
- d. Zoning District Boundaries and the zoning dimensional requirements for each zone shown on the plan.
- e. The names, approximate location, and widths of adjacent existing streets.
- f. The proposed topography of the land shown at a contour interval no greater than 5 feet. Elevations shall be referred to mean sea level.
- g. All on-site local, state, and federal regulatory resource boundaries and buffer zones shall be clearly identified and all wetland flag locations shall be numbered and placed upon the Sketch Plan.
- h. The existing and proposed lines of streets, lots, rights-of-ways, easements, and public or common areas within the subdivision.
- i. Proposed roadway grades.
- j. Official soil percolation tests for the purpose of locating wastewater treatment options may be required at the discretion of the Planning Board on certain parcels where the feasibility of locating wastewater treatment systems may be uncertain.
- k. A narrative indicating all requested waivers, reductions, and/or modifications as permitted by the various By-laws and regulations governing the subdivision.

D. General Design Standards:

- 1. The landscape should be preserved in its natural state in so far as practical. Tree and soil removal shall be minimized. Native and non-invasive trees with a caliper greater than twenty (20) inches (measured at four feet) shall not be removed unless such removal is consistent with the purposes and intent of this Section. Any grade changes shall be in keeping with the general appearance of the neighboring undeveloped and developed areas. Individual building sites shall be oriented so as to maintain maximum natural topography and to take advantage of natural drainage patterns.
- 2. Streets shall be designed and located in such a manner as to maintain and preserve natural topography, significant landmarks, and trees; to minimize cut and fill; and to preserve and enhance views and vistas on or off the subject parcel. Particular attention shall be paid to seamlessly integrating new streets into the existing street pattern as appropriate.
- 3. All proposed landscaping shall be designed to complement and add to the visual

amenities of the area by maximizing its visibility for persons passing the site or overlooking it from nearby properties and public ways.

4. The removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized, whether these exist on the site or on adjacent properties.

E. Site Specific Design Standards:

1. **Mix of Housing Types:** The FRD may consist of a combination of single-family and multi-family residential structures. Except for those FRD's composed of the housing type specified in Section XC.12.3 of Salisbury's Zoning FRD By-law, multifamily structures shall not contain more than two (2) dwelling units and shall be of the townhouse style and be designed to appear to be single family homes by limiting each elevation to a maximum of one main entrance, and two garage doors.
2. **Parking:** Each dwelling unit shall be served by two (2) off-street parking spaces. Parking spaces in front of garages may count in this computation. All parking areas with greater than four (4) spaces shall be screened from public view.
3. **Buffer Areas:** A buffer area of at least twenty-five (25) feet shall be provided at the perimeter of the development tract where it abuts residentially zoned or residentially occupied properties. A buffer area of at least one hundred (100) feet shall be provided from natural and/or recreational resource areas such as wetlands, intermittent streams, agricultural or recreational fields, and land held for conservation purposes, except as noted below. A two hundred (200) foot buffer must be maintained from perennial streams, except to the extent otherwise permitted by the Salisbury Conservation Commission. Driveways necessary for access and egress to and from the tract may cross such buffer areas. No native or non-invasive vegetation in this buffer area shall be disturbed, destroyed, or removed, except for normal maintenance of structures or in connection with landscaping approved by the Planning Board as part of the project. The Planning Board may waive these buffer requirements to the extent it determines that a smaller buffer (or no buffer) will substantially further the goals of this Section and otherwise be in the best interests of the community. Any such waiver decisions shall be made in consultation with the Conservation Commission where the Commission's jurisdiction is applicable.
4. **Drainage:** The Planning Board shall encourage the use of "soft" (non-structural) natural stormwater management techniques (such as rain gardens and open grass and bio-retention swales) and other drainage techniques that do not create impervious surface and that enable infiltration where appropriate. Stormwater should be treated at the source to limit nonsource pollution. Water conservation measures, including but not limited to the use of rainwater retention systems, such as rain barrels and cisterns for water irrigation purposes, are also strongly encouraged.
5. **Screening and Landscaping:** All structural surface stormwater management facilities shall be accompanied by a landscape plan. The landscape plan shall not include invasive plant species and shall include species that are drought tolerant and provide habitat value. Native plant species are strongly encouraged. In ground sprinkler systems are strongly discouraged.
6. **Common/Shared Driveways:** A common or shared driveway may serve a maximum

number of 4 dwelling units. The Planning Board may increase this number if it determines that a larger number will substantially further the purposes and intent of the FRD of the Zoning By-law and otherwise be in the best interests of the community.

- 7. On-site Pedestrian and Bicycle Circulation:** Walkways and bicycle paths shall be provided to link residences with parking areas, existing trails and streets, recreation facilities (including parkland and open space) and adjacent land uses where appropriate.
- 8. Disturbed Areas:** Not more than fifty percent (50%) of the total tract shall be disturbed areas. A disturbed area is any land not left in its natural vegetated state. The Planning Board may allow a greater area of temporary disturbance to the extent it determines that doing so will substantially further the purposes and intent of the FRD in the Zoning By-law and otherwise be in the best interests of the community.

Appendix A

Planning Board Subdivision Control Regulations

Adopted June 1, 1975